

Defendant .

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X

15 Cr.

15 CRIM 023

2. From at least in or about 2010, up to and including at least in or about January 2015, in the Southern District of New York and elsewhere, DAVID ADAMS, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money or property by

JUDGE ENGELMAYER

means of false and fraudulent pretenses, representations, and promises, and, for the purpose of executing such scheme and artifice and attempting to do so, placed in a post office and authorized depository for mail matter, a matter and thing to be sent and delivered by the Postal Service and deposited and caused to be deposited a matter and thing to be sent and delivered by private and commercial interstate carrier, and took and received therefrom, such matter and thing, and knowingly caused to be delivered by mail and such carrier according to the direction thereon, such matter and thing, to wit, ADAMS used the mails to fraudulently obtain controlled substances by filling forged prescriptions at mail-order pharmacies.

(Title 18, United States Code, Section 1341.)

FORFEITURE ALLEGATIONS

3. As a result of committing the controlled substance offense alleged in Count One of this Indictment, DAVID ADAMS, the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of the Indictment.

4. As a result of committing the mail fraud offense alleged in Count Two of this Indictment, DAVID ADAMS, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, any property

constituting, or derived from, proceeds traceable to such offense, and, pursuant to 18 U.S.C. § 982(a)(7), any property, real and personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of such offense.

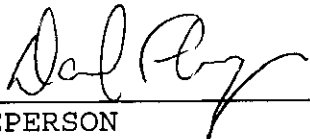
Substitute Assets Provision


5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred, or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(21 U.S.C. § 853; 18 U.S.C. §§ 981 & 982, and 28 U.S.C. § 2461)


FOREPERSON


PREET BHARARA

United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

DAVID ADAMS,

Defendant.

SEALED INDICTMENT

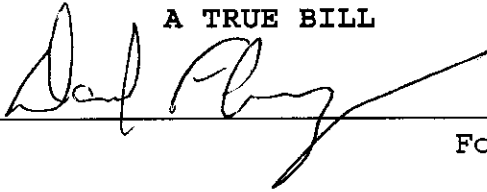
15 Cr. ____

(21 U.S.C. § 843(a)(3); 18 U.S.C. § 1341.)

PREET BHARARA

United States Attorney.

A TRUE BILL



Foreperson.

1/14/15 FILED INDICTMENT ARREST ISSUED.

CSTJ USMj